

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ISHMAEL A. BURK,	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	CIVIL ACTION NO. 23-CV-3004
	:	
MS. QUINN, <i>et al.</i>	:	
<i>Defendants.</i>	:	

ORDER

AND NOW, this 2nd day of February, 2024, upon consideration of the Motion to Dismiss (ECF No. 12) filed by Defendants Supervisor James (Chandra James), Agent James (Carmen James) and Unit Manager Neally (Jaclyn Neally), and Plaintiff Ishmael Burk's Response thereto (ECF No. 16), it is **ORDERED** that:

1. The Motion is **GRANTED IN PART** for the reasons stated in the Court's accompanying Memorandum as follows: all claims asserted against Defendants Supervisor James (Chandra James) and Unit Manager Neally (Jaclyn Neally) are **DISMISSED WITH PREJUDICE**.

2. The Clerk of Court is **DIRECTED** to terminate Supervisor James (Chandra James) and Unit Manager Neally (Jaclyn Neally) as Defendants.

3. Defendant Agent James (Carmen James) shall file a responsive pleading in accordance with Federal Rule of Civil Procedure 12(a)(4).

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.